

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LUCAS HINKEBEIN, etc.,

Plaintiff,

vs

No. 4:16-CV-1655

GAVIN HOPLER, et al,

Defendants.

DEPOSITION OF MARK S. HINKEBEIN
TAKEN ON BEHALF OF DEFENDANTS

June 30, 2017

WASHAUSEN & ASSOCIATES

P. O. Box 99

Wildwood, MO 63038

Exhibit 3

1 Q Walk me through from that point on what
2 occurred.

3 A What I heard and everything?

4 Q Yes.

5 A Okay. I'm standing on top of the stairs,
6 my wife is sitting there next to me, we could hear
7 one of the officers telling Luke that "We want to
8 take you to the hospital. We can either call an
9 ambulance or we can take you in a car, one of our
10 cars, but we'd have to handcuff you." And he says
11 "I don't want to be handcuffed. Why am I being
12 arrested?" And they said "You're not being arrested
13 but we can take you over there in the car or we can
14 call an ambulance." And Luke said "Why don't you
15 let me walk out the door and go to a friend's
16 house?" Then one of the officers said "That is not
17 an option." I heard a struggle which lasted a few
18 seconds, then a pop. I looked at Chris, we both ran
19 down standing on -- I was probably it was either the
20 third or the fourth step down and Chris was right
21 behind me, she was right there, and I seen Luke up
22 against the washer and dryer, one officer was on the
23 left, one officer was on the right, there was one
24 officer behind him, there was no struggle, there was
25 nothing, it looked like a painting, and I couldn't

1 believe it, one officer pulled his gun up, aimed it
2 at Luke's -- directly in the back of his head and
3 went bang bang, that quick. And then the one
4 officer said "What are you using?" And the other
5 officer responded "A 40." My wife screamed "Why did
6 you murder my son?" The one cop that shot him, I
7 believe said "You don't understand, ma'am, he went
8 for one of our guns." And then they ordered us out
9 of the house.

10 MS. FARRELL: Do you need a break?

11 THE WITNESS: I'm fine.

12 MR. HELLMICH: By all means, sir, take
13 your time and take a break if you need to.

14 MS. FARRELL: Why don't we just walk out
15 for a minute.

16 THE WITNESS: All right.

17 (AT THIS TIME A BREAK WAS TAKEN.)

18 BY MR. HELLMICH:

19 Q Obviously, sir, you know, I want to go
20 back and walk through a few of the things that
21 you've told me.

22 A Okay.

23 Q Just sort of take it a step at a time.
24 You described that you and your wife were situated
25 at the spots that you've marked on Exhibit A?